14-10447-tmd Doc#171 Filed 05/09/14 Entered 05/10/14 01:12:58 Imaged Certificate of Notice Pg 1 of 9

# IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: May 06, 2014.

TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE

# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

# ORDER GRANTING DEBTOR'S EMERGENCY [FIRST] MOTION TO REJECT UNEXPIRED LEASES ON NON-RESIDENTIAL REAL PROPERTY PURSUANT TO 11 U.S.C. § 365 NUNC PRO TUNC TO THE PETITION DATE

The Court considered the Debtor's Emergency [First] Motion to Reject Unexpired Leases of Non-Residential Real Property Pursuant to 11 U.S.C. § 365 *Nunc Pro Tunc* to the Petition Date (the "Motion") on May 1, 2014. The Court finds that notice of the Motion is sufficient

<sup>&</sup>lt;sup>1</sup> Until February 26, 2014, Debtor's business was being operated partially by the Debtor and partially by its two wholly owned subsidiaries, Kona Restaurant Group, Inc. and Carino's Italian Kitchen, Inc.. Those entities were merged into the Debtor on that date.

under the circumstances and that good cause exists for the requested relief to be granted.

Accordingly, it is therefore:

**ORDERED** that the Motion is GRANTED as described herein; and it is further

ORDERED that pursuant to 11 U.S.C. § 365, the rejection of the Real Property Leases identified on Exhibit "A" attach hereto with the exception of the leases with National Retail Properties ("NRP") for its leases in Beaumont and Lewisville, Texas, and Debtor's lease with AEI Accredited Investor Fund 2002, Ltd. Partnership ("AEI") for its location in Longmont, Colorado, be and is hereby approved, effective as of the Petition Date. It is further

ORDERED that Debtor's request to reject its leases with NRP for its Beaumont and Lewisville locations *nunc pro tunc* and NRP's objection to same shall be addressed by a separate order. It is further.

ORDERED that pursuant to 11 U.S.C. § 365, the rejection of the Debtor's Real Property Lease with AEI for Longmont, Colorado, as more specifically set forth below, is hereby approved, effective as of April 3, 2014:

Store	Property Address	Landlord	Contract Date
37	2033 Ken Pratt Blvd.,	AEI Accredited	12/30/2003
	Longmont, CO 80501	Investor Fund 2002	
		Ltd. Partnership	

## It is further

ORDERED that any claim by the non-Debtor parties arising from the rejection of any Real Property Leases with the exception of the leases with NRP for its leases in Beaumont and Lewisville, Texas shall be deemed to constitute a prepetition claim against the Debtors, pursuant to Section 365(g) of the Bankruptcy Code; and it is further

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ORDERED that any claims for rejection of the unexpired leases shall be filed by the general bar date in this case; and it is further

general bar date in this ease, and it is further

ORDERED that the Debtors shall promptly serve a copy of this Order on all counterparties of the Real Property Leases; and it is further

ORDERED that the Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order All relief not expressly granted in this order is denied.

###

## APPROVED AS TO FORM:

/s/Stephen W. Sather
Stephen W. Sather
Attorney for Debtor (Proposed)

/s/Cassandra Stepanik
Cassandra Sepanik
Attorney for National Retail Properties, LP

Prepared and submitted by:

Barbara M. Barron State Bar No. 01817300 Stephen W. Sather State Bar No. 17657520 BARRON & NEWBURGER, P.C. 1212 Guadalupe, Suite 104 Austin, Texas 78701 (512) 476-9103 Ext. 220 (512) 476-9253 Facsimile

ATTORNEYS FOR THE DEBTORS

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	Closed	Date	1/5/2014					1/5/2014				10/21/2013				10/21/2013			10/21/2013			1/5/2014			
		Contract Date	12/30/2003					12/9/2003				11/20/2004				12/30/2003			4/19/2000			11/5/2002			
ECTION MOTION	Notice Address, Facsimile and	Email Address	2033 Ken Pratt Blvd., AEI Accredited Investor Fund	2002 LTD Partnership	1300 Minnesota World Trade	Center	St. Paul, MN 55101-4901	AEI Income & Growth Fund 25	ILC	30 East 7th St., Ste 1300	St. Paul, MN 55101	AEI Income & Growth Fund 25	ILC	30 East 7th St., Ste 1300	ST. Paul, MN 55101	Cassidy Turley Midwest, Inc.	Lockbox #129, POB 1575	Minneapolis, MN 55480-1575	Cassidy Turley Midwest, Inc.	Lockbox #129, POB 1575	Lakewood, CO 80226 Minneapolis, MN 55480-1575	Cassidy Turley Midwest, Inc.	Lockbox #129, POB 1575	Minneapolis, MN 55480-1575	
<b>EXHIBIT A - LEASE REJECTION MOTION</b>	Leasehold Property	Location	2033 Ken Pratt Blvd.,	Longmont, CO 80501 2002 LTD Partnership				2638 Derek Drive	Lake Charles, LA	70907		5700 N. Elizabeth St.	Pueblo, CO 81008			421 E. Nolana Loop	McAllen, TX 78504		389 S. Wadsworth	Blvd.	Lakewood, CO 80226	510 LBJ Freeway	(West IH-635)	Irving, TX 75063	
EX		Lease Type	Real	Property	Lease			Real	Property	Lease		Real	Property	Lease		Real	Property	Lease	Real	Property	Lease	Real	Property	Lease	
		Lessor	AEI Accredited	Investor Fund 2002	Ltd. Partnership			AEI Income & Growth Real	Fund 25 LLC			AEI Income & Growth Real	Fund 25 LLC			Cassidy Turley	Midwest, Inc.		Cassidy Turley	Midwest, Inc.		Cassidy Turley	Midwest, Inc.		
	a	ID Location	37 Longmont					5 Lake Charles				3 Pueblo				42 McAllen			44 Lakewood			66 Irving			
	Store	][	37					85				98				42			44			99			

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	Closed	Date	1/5/2014				12/3/2013			12/5/2013				10/17/2013			1/5/2014			1/5/2014			1/5/2014			10/21/2013			1/5/2014		
		Contract Date	4/3/2003				11/5/2003			3/10/1998				11/12/2003			5/12/2005			1/29/2001			7/25/1997			9/24/2013			8/10/2004		
ECTION MOTION	Notice Address, Facsimile and	Email Address	Cassidy Turley Midwest, Inc.	Lockbox #129, POB 1575	Minneapolis, MN 55480-1575		Cassidy Turley Midwest, Inc.	Lockbox #129, POB 1575	Minneapolis, MN 55480-1575	Gentilis	Texarkana, TX 75503 c/o Moja Lynn Lindsey	Post Office Box 810	Redwood Valley, CA 95470	Magdalena Properties LLC	2340 Westcliffe Lane #C	Walnut Creek, CA 94597	Moondance, Inc.	1514 Ranch Road 620 South	Lakeway, TX 78734	National Retail Properties	Beaumont, TX 77705 450 S. Orange Ave. Suite 900	Orlando, FL 32801	National Retail Properties	450 S. Orange Ave. Suite 900	Orlando, FL 32801	Native Land Investments, Ltd.	1514 Ranch Road 620 South	Lakeway, TX 78734	Pleasant Ridge Development Co., 8/10/2004	ПТГР	11601 Pleasant Ridge Road, Ste
EXHIBIT A - LEASE REJECTION MOTION	Leasehold Property	Location	960 N. Hwy 287	Mansfield, TX 76063			411 B East Loop 281	Longview, TX 75605		3402 St. Michael Dr.	Texarkana, TX 75503			ground lease 5750 Hwy. 6,	Missouri City, TX	77459	5900 S. Hulen St.	Fort Worth, TX	76132	<del>3805   10 South</del>	Beaumont, TX 77705		595 E. Round Grove	Road	Lewisville, TX 75067 Orlando, FL 32801	2473 28th Street	Greeley, CO 80634		ground lease 11600 Pleasant Ridge	Rd., West Little Rock,	AR 72223
EX		Lease Type	Real	Property	Lease		Real	Property	Lease	Real	Property	Lease		ground lease			Real	Property	Lease	Real	Property	Lease	Real	<b>Property</b>	<del>Lease</del>	Real	Property	Lease	ground lease		
		Lessor	Cassidy Turley	Midwest, Inc.			Cassidy Turley	Midwest, Inc.		Gentilis				MAGDALENA	PROPERTIES LLC		Moondance, Inc.			National Retail	<b>Properties</b>		National Retail	<b>Properties</b>		Native Land	Investments, Ltd.		Pleasant Ridge	Development Co.,	LLLP
	Store	ID Location	81 Mansfield				84 Longview			51 Texarkana				90 Missouri City MAGDALENA			95 Ft Worth	- Hulen		46 Beaumont			50 Vista Ridge			47 Greeley			104 West Little	Rock	

			E	<b>EXHIBIT A - LEASE REJECTION MOTION</b>	ECTION MOTION		
Store				Leasehold Property	Leasehold Property Notice Address, Facsimile and		Closed
ID	ID Location	Lessor	Lease Type	Type Location	Email Address	Contract Date	Date
96	96 Tyler	RC NELMS JR.	Real	1725 Loop 323 WSW	1725 Loop 323 WSW RC Nelms Jr. Hillcrest Trust	5/12/2005	1/5/2014
		HILLCREST TRUST	Property	Tyler, TX 75701	4659 CHRISTOPHER PLACE		
			Lease		Dallas, TX 75204-1610		
29	59 Grand	Wilmington Center	Real	2840 Hwy. & 50,	Wilmington Center LLC	9/28/2007	2/24/2014
	Junction	TLC	Property	Grand Junction, CO 9471 Lomitas Ave.	9471 Lomitas Ave.		
			Lease	81505	Beverly Hills, CA 90210		

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Notice Pg 7 of 9
United States Bankruptcy Court
Western District of Texas

In re: Fired Up, Inc. Debtor Case No. 14-10447-tmd Chapter 11

### **CERTIFICATE OF NOTICE**

District/off: 0542-1 User: quintanil Page 1 of 3 Date Rcvd: May 07, 2014 Form ID: pdfintp Total Noticed: 44

```
Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
May 09, 2014.
db
                       +Fired Up, Inc.,
                                                       1514 Ranch Road 620 South,
                                                                                                         Austin, TX 78734-6210
                      +Brian A Kilmer, Chamberlain Hrdlicka, 1200 Smith Street, 14th Floor, Houston, TX 77002-4317
+Gilbert Hamberg, 1038 Darby Dr., Yardley, Pa 19067-4519
+Jeffrey Ackermann, Durio McGoffin et al, 220 Heymann Blvd., PO Box 51308,
aty
aty
aty
                          Lafayette, LA 70505-1308
                       +Joshua M. Fried, Pachulski Stang Ziehl & Jones LLP, 150 California Street 15th Floor,
aty
                          San Francisco, CA 94111-4554
                       +Peter J. Keane, Pachulski Stang Ziehl & Jones LLP, 919 North Market Steet, 17th Floor,
aty
                          Wilimington, DE 19801-3034
                       +Arlington ISD, Mansfield ISD,
                                                                              c/o Perdue, Brandon, Fielder, et al, P. O. Box 13430,
cr
                         Arlington, TX 76094-0430
                       +Bowie Central Appraisal District, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 7 +Capitol City Produce Company, LLC, c/o McCarron & Diess, 4530 Wisconsin Ave., N.W., Suite 301, Washington, DC 20016-4667
                                                                                                                       P.O. Box 1269, Round Rock, TX 78680-1269
cr
cr
                       +Central Appraisal District of Taylor County, c/o Lee Gordon, P.O. Box 1269,
                          Round Rock, TX 78680-1269
cr
                       +City of Laredo, c/o Flores & Saucedo, PLLC, 5517 Mcpherson Rd., Ste. 14,
                          Laredo, TX 78041-6687
                       +City of Waco, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
+Dallas County, Linebarger Goggan Blair & Sampson, LLP, c/o Elizabeth Weller,
2777 N. Stemmons Frwy, Suite 1000, Dallas, TX 75207-2328
cr
cr
                       +Ellis County, Linebarger Goggan Blair & Sampson LLP,
                                                                                                                            c/o Elizabeth Weller.
cr
                          FreshPoint Dallas, Inc., c/o McCarron & Diess, 4530 Wisconsin Avenue, N.W., Suite 301, Washington, DC 20016-4667
                       +FreshPoint Dallas, Inc.,
cr
                          FreshPoint Denver, Inc., c/o McCarron & Diess, 4530 Wisconsin Avenue, N.W., Washington, DC 20016-4667
                       +FreshPoint Denver, Inc.,
cr
                                                                                                                                                                      Suite 301,
cr
                       +FreshPoint Oklahoma City, LLC, c/o McCarron & Diess,
                                                                                                                             4530 Wisconsin Avenue, N.W., Suite 301,
                          Washington, DC 20016-4667
                       +FreshPoint South Texas, LP, c/o McCarron & Diess, 4530 Wisconsin Avenue, N.W., Suite 301,
cr
                          Washington, DC 20016-4667
                       +Gregg County, Linebarger Goggan Blair & Sampson, LLP,
                                                                                                                              c/o Elizabeth Weller.
cr
                       2777 N. Stemmons Frwy Ste 1000, Dallas, TX 75207-2328
+Hidalgo County, Hidalgo Co. Drainage Dist. #1, and, c/o John T Banks,
cr
                         3301 Northland Dr., Ste. 505, Austin, TX 78731-4954
Inland American Retail Management, LLC, c/o Menter, Rudin & Trivelpiece, P.C.,
                          Attn: Kevin M. Newman, Esq., 308 Maltbie Street, Suite 200, Syracuse, NY 13204-1439
                       Attn: Kevin M. Newman, Esq., Sub Marchel Collect, L. +Lubbock Central Appraisal District, c/o Laura J. Monroe, Lubbock, TX 79408-0817
cr
                       Perdue, Brandon, Fielder, Collins & Mott, P.O. Box 817, +Magdalena Properties, LLC, c/o R. Spencer Shytles, 542
                                                                                                                         5420 LBJ Freeway, Suite 300,
cr
                         Dallas, TX 75240-6271
                       +Mary Raney Nelms and Dick P. Wood, as Trustees of,
cr
                                                                                                                     c/o James H. Billingsley, Polsinelli PC,
                       2501 N. Harwood Street, Suite 1900, Dallas, TX 75201-1664
+Megaplex Four, Inc., c/o Paul M. Hoffmann, 1201 Walnut, Street, Paul M. Hoffmann, 1201 Walnut, Paul M. Hoffmann, 1201 Walnut,
                                                                                                                                    Stuie 2900.
cr
                          Kansas City, MO 64106-2149
                       +National Retail Properties, LP, c/o Thompson & Knight LLP, 1722 Routh Street, Suite 1500,
                          Dallas, TX 75201-2532, US
                       +Potato Specialty Co.,
                                                                 c/o McCarron & Diess, 4530 Wisconsin Avenue, N.W., Suite 301,
cr
                          Washington, DC 20016-4667
                      +Prosperity Bank, c/o Lisa C. Fancher, Fritz, Byrne, Head & Harrison, PLLC, 98 San Jacinto Boulevard, Suite 2000, Austin, TX 78701-4288
+RioCan America Management, Inc., c/o R. Spencer Shytles, 5420 LBJ Freeway, Suite 300,
cr
cr
                          Dallas, TX 75240-6271
cr
                       +Rockwall CAD, Linebarger Goggan Blair & Sampson, LLP,
                                                                                                                               c/o Elizabeth Weller,
                          2777 N. Stemmons Frwy, Ste 1000, Dallas, TX 75207-2328
                       +Tarrant County, Linebarger Goggan Blair & Sampson, LLP,
                                                                                                                                 c/o Elizabeth Weller,
                          2777 N. Stemmons Frwy Ste 1000, Dallas, TX 75207-2328
                      +The County of Brazos, Texas, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
+The County of Denton, Texas, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
+The County of Denton, Texas, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
+The County of Hays, Texas, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
                                                                                                                                             Round Rock, TX 78680-1269
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                                                                                                                                            Round Rock, TX 78680-1269
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                       +The County of Williamson, Texas, c/o Lee Gordon, P.O. Box 1269, Rour +Travis County, c/o Kay D. Brock, PO Box 1748, Austin, TX 78767-1748
                                                                                                                                                   Round Rock, TX 78680-1269
cr
cr
                                                                                         c/o Tab Beall, Perdue Brandon Fielder Collins & Mott,
                        Tyler Independent School District,
cr
                          PO Box 2007, Tyler, TX 75710-2007
                       +Waco Independent School District,
                                                                                      c/o Lee Gordon,
                                                                                                                      P.O. Box 1269,
                                                                                                                                                     Round Rock, TX 78680-1269
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
                       +E-mail/Text: sharon.floyd@fortworthtexas.gov May 08 2014 05:28:29
                                                                                                                                                   City Of Fort Worth,
cr
                          City of Fort Worth, 1000 Throckmorton St, Fort Worth, TX 76102-6311
                        E-mail/Text: houston_bankruptcy@LGBS.com May 08 2014 05:45:05
cr
                                                                                                                                            Cypress Fairbanks ISD,
```

c/o John P Dillman, Linebarger Goggan Blair & Sampson LLP, P.O. Box 3064,

Houston, TX 77253-3064

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Page 2 of 3

Date Royd: May 07, 2014

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Form ID: pdfintp
                                                          Total Noticed: 44
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)
              E-mail/Text: houston_bankruptcy@LGBS.com May 08 2014 05:45:05
                                                                                Fort Bend County,
               c/o John P. Dillman,
                                     Linebarger Goggan Blair & Sampson LLP,
                                                                               P.O. Box 3064,
               Houston, TX 77253-3064
              E-mail/Text: houston_bankruptcy@LGBS.com May 08 2014 05:45:05
                                                                                Harris County,
cr
               c/o John P.Dillman,
                                   Post Office Box 3064, Houston, TX 77253-3064
             +E-mail/Text: ecfnotices@dor.mo.gov May 08 2014 05:24:21
                                                                          Missouri Department of Revenue,
cr
               Bankruptcy Unit,
                                 PO Box 475,
                                                Jefferson City, MO 65105-0475
                                                                                             TOTAL: 5
           ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
              Gilbert R. Saydah Jr.
aty
              ARC CAFE, LLC
cr
              Atascocita 1692, LLC.
cr
              Bexar County,
                             Linebarger Goggan et al
cr
              Brazoria County Tax Office
cr
              Brownsville Public Utilities Board
cr
              FRG Capital LLC
cr
cr
              McLennan County
              Official Committee Of Unsecured Creditors
intp
              RB River IV LLC
cr
              RB River VI LLC
cr
              Texas Comptroller of Public Accounts
              Wells Fargo Bank, N.A.
cr
                                                                                            TOTALS: 13, * 0, ## 0
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Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Signature: /s/Joseph Speetjens Date: May 09, 2014

James G Ruiz

User: quintanil

District/off: 0542-1

#### CM/ECF NOTICE OF ELECTRONIC FILING

```
The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 6, 2014 at the address(es) listed below:
                                                             Fired Up, Inc. bbarron@bnpclaw.com,
               Barbara M. Barron on behalf of Debtor
                saugusta@bn-lawyers.com;lhicks@bn-lawyers.com;kelliott@bn-lawyers.com
               Barbara M. Barron on behalf of Plaintiff
                                                                 Fired Up, Inc. bbarron@bnpclaw.com,
                saugusta@bn-lawyers.com;lhicks@bn-lawyers.com;kelliott@bn-lawyers.com
                                                           FRG Capital LLC brasner@haleyolson.com,
               Blake Rasner on behalf of Creditor
                dserenil@haleyolson.com
               Bradford J Sandler on behalf of Interested Party Official Committee Of Unsecured Creditors
               bsandler@pszjlaw.com, ljones@pszjlaw.com
Cassandra A. Sepanik on behalf of Creditor
                                                                   National Retail Properties, LP
                cassandra.sepanik@tklaw.com, dannette.johnson@tklaw.com
                                                                City of Laredo ffccpllc14@gmail.com
               Christina Flores on behalf of Creditor
               Christopher Bedford Mosley on behalf of Creditor
                                                                          City Of Fort Worth
                chris.mosley@fortworthtexas.gov, sharon.floyd@fortworthtexas.gov
               David G. Aelvoet on behalf of Creditor
                                                               Bexar County davida@publicans.com
               David M. Bennett
                                     on behalf of Creditor
                                                               National Retail Properties, LP david.bennett@tklaw.com,
                gracie.gonzales@tklaw.com
               Deborah A. Bynum
                                    on behalf of U.S. Trustee United States Trustee - AU12
                deborah.a.bynum@usdoj.gov
               Diane W. Sanders on behalf of Creditor McLennan County austin.bankruptcy@publicans.com
Elizabeth Banda Calvo on behalf of Creditor Arlington ISD, Mansfield ISD rgleason@pbfcm.com,
                ebcalvo@ecf.inforuptcy.com
               G. James Landon on behalf of Interested Party Official Committee Of Unsecured Creditors
                landon@slollp.com, prentice@slollp.com
               H. Elizabeth Weller
                                        on behalf of Creditor
                                                                   Tarrant County bethw@publicans.com
               H. Elizabeth Weller
                                        on behalf of Creditor
                                                                   Gregg County bethw@publicans.com
                                       on behalf of Creditor
                                                                   Ellis County bethw@publicans.com
               H. Elizabeth Weller
                                      on behalf of Creditor
                                                                   Rockwall CAD bethw@publicans.com
               H. Elizabeth Weller
               H. Elizabeth Weller on behalf of Creditor Dallas County bethw@publicans.com
James G Ruiz on behalf of Defendant Wells Fargo Bank, N.A. jruiz@winstead.com
```

on behalf of Creditor Wells Fargo Bank, N.A. jruiz@winstead.com

# 14-10447-tmd Doc#171 Filed 05/09/14 Entered 05/10/14 01:12:58 Imaged Certificate of Notice Pg 9 of 9

District/off: 0542-1 User: quintanil Page 3 of 3 Date Rcvd: May 07, 2014 Form ID: pdfintp Total Noticed: 44

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued) James H. Billingsley on behalf of Creditor Mary Raney Nelms and Dick P. Wood, as Trustees of the R.C. Nelms Jr. Hillcrest Trust jbillingsley@polsinelli.com Jason A. Starks on behalf of Creditor Texas Comptroller of Public Accounts bk-jstarks@texasattorneygeneral.gov, sherri.simpson@texasattorneygeneral.gov John P. Dillman on behalf of Creditor Cypress Fairbanks ISD houston\_bankruptcy@publicans.com John P. Dillman on behalf of Creditor John P. Dillman on behalf of Creditor Fort Bend County houston\_bankruptcy@publicans.com  ${\tt Harris\ County\ houston\_bankruptcy@publicans.com}$ John T. Banks on behalf of Creditor Hidalgo County, Hidalgo Co. Drainage Dist. #1, and McAllen Independent School District jbanks@pbfcm.com, jbanks@ecf.inforuptcy.com
Kay D. Brock on behalf of Creditor Travis County bkecf@co.travis.tx.us Kevin M Newman on behalf of Creditor Inland American Retail Management, LLC knewman@menterlaw.com, kmnbk@menterlaw.com Laura J. Monroe on behalf of Creditor Lubbock Central Appraisal District lmbkr@pbfcm.com, krobertson@ecf.inforuptcy.com Lee Gordon on behalf of Creditor City of Waco vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com Lee Gordon on behalf of Creditor The County of Williamson, Texas  $\verb|vcovington@mvbalaw.com|; kmorriss@mvbalaw.com|; other courts@mvbalaw.com||$ Lee Gordon on behalf of Creditor The County of Denton, Texas vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com Lee Gordon on behalf of Creditor Bowie Central Appraisal District vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com Lee Gordon on behalf of Creditor Waco Independent School District vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com The County of Hays, Texas Lee Gordon on behalf of Creditor vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com on behalf of Creditor Central Appraisal District of Taylor County Lee Gordon  $\verb|vcovington@mvbalaw.com|; kmorriss@mvbalaw.com|; other courts@mvbalaw.com||$ Lee Gordon on behalf of Creditor The County of Brazos, Texas vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com on behalf of Creditor The County of Comal, Texas Lee Gordon vcovington@mvbalaw.com;kmorriss@mvbalaw.com;othercourts@mvbalaw.com Lisa C. Fancher on behalf of Creditor Prosperity Bank lfancher@fbhh.com, cdeacon@fbhh.com Lynn Saarinen on behalf of Debtor Fired Up, Inc. lsaarinen@bn-lawyers.com, rlevins@bn-lawyers.com;lhicks@bn-lawyers.com Michelle E. Shriro on behalf of Creditor Atascocita 1692, LLC. mshriro@singerlevick.com, croote@singerlevick.com;ckirkland@singerlevick.com Owen M Sonik on behalf of Creditor Brazoria County Tax Office osonik@pbfcm.com,  $\verb|tpope@pbfcm.com|; osonik@ecf.inforuptcy.com|; houbank@pbfcm.com|$ Paul Matthias Hoffmann on behalf of Creditor Megaplex Four, Inc. paul.hoffmann@stinsonleonard.com R. Brandon Bundren on behalf of Creditor ARC CAFE, LLC rbbundren@duanemorris.com, mmbliler@duanemorris.com;aqslocum@duanemorris.com;arsmith@duanemorris.com R. Spencer Shytles on behalf of Creditor R. Spencer Shytles on behalf of Creditor Richard E. Hettinger on behalf of Creditor Richard Richa rhettinger@davidsontroilo.com Robert Yaquinto, Jr on behalf of Creditor Potato Specialty Co. rob@syllp.com Robert Yaquinto, Jr on behalf of Creditor Capitol City Produce Company, LLC rob@syllp.com Yaquinto, Jr on behalf of Creditor Robert FreshPoint Dallas, Inc. rob@syllp.com Yaquinto, Jr on behalf of Creditor FreshPoint South Texas, LP rob@syllp.com Robert on behalf of Creditor FreshPoint Oklahoma City, LLC rob@syllp.com Yaquinto, Jr Robert Yaquinto, Jr on behalf of Creditor FreshPoint Denver, Inc. rob@syllp.com Seth E. Meisel on behalf of Interested Party Official Committee Of Unsecured Creditors meisel@slollp.com, prentice@slollp.com Stephen Christopher Conway on behalf of Creditor Missouri Department of Revenue bankruptcy@dor.mo.gov Stephen W. Sather on behalf of Plaintiff Fired Up, Inc. ssather@bn-lawyers.com,  $\verb|saugusta@bn-lawyers.com|; lhicks@bn-lawyers.com|; bbarron@bn-lawyers.com|; kelliott@bn-lawyers.com|; left and the saugusta and the saugust$ Stephen W. Sather on behalf of Debtor Fired Up, Inc. ssather@bn-lawyers.com,  $\verb|saugusta@bn-lawyers.com|; lhicks@bn-lawyers.com|; bbarron@bn-lawyers.com|; kelliott@bn-lawyers.com|; bbarron@bn-lawyers.com|; kelliott@bn-lawyers.com|; bbarron@bn-lawyers.com|; bbarron@bn-lawy$ Beall on behalf of Creditor Tyler Independent School District tbeall@pbfcm.com, tylbkc@pbfcm.com;tbeall@ecf.inforuptcy.com

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United States Trustee - AU12

TOTAL: 59